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Report of the Secretary-General on the United Nations Mission in the Sudan

I. Introduction

1. The present end-of-mandate report is submitted pursuant to paragraph 11 of Security Council resolution 1590 (2005), in which the Council requested that it be kept regularly informed of progress in the implementation of the Comprehensive Peace Agreement in the Sudan. The report provides an assessment of the overall situation in the country since my previous report, dated 19 January 2010 (S/2010/31), as well as an update on the activities of the United Nations Mission in the Sudan (UNMIS) through 20 March 2010. In accordance with the Council's request, this report includes specific updates on the implementation of the Mission's protection of civilians strategy, contingency planning arrangements of the Mission in the lead up to the referenda, and initial steps taken to plan for UNMIS's post-referendum role in the Sudan.

II. Political developments

2. During the reporting period, preparations for the forthcoming elections dominated the political scene in the Sudan. While the parties to the Comprehensive Peace Agreement made important progress in the implementation of the Agreement, particularly in regard to the national elections scheduled for 11 to 13 April 2010, much remains to be done to prepare for the referenda scheduled for January 2011.

3. On 21 February 2010, the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) members of the Presidency of the Government of National Unity reached an agreement resolving a number of outstanding election-related disputes, particularly related to the 2008 census. The agreement provided that SPLM would drop its objections to the national census results, in return for allocation of an additional 40 seats for the south in the National Assembly. These seats are to be filled by appointment of the Presidency with the endorsement of the National Assembly, on a proportional representation basis after the elections. It was also agreed by the Presidency of the Government of National Unity that State-level elections in Southern Kordofan would be postponed to allow for a new census and the reallocation of State constituencies, while the State would receive an additional four seats in the National Assembly. Under this agreement, Abyei would receive an additional two seats in the National Assembly, and the

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National Elections Commission (NEC) would appoint a committee to oversee elections for the Abyei Administration.

4. The agreement to allocate extra seats to the South, Abyei and Southern Kordofan will allow SPLM to retain its veto power in the National Assembly regarding any constitutional amendment. Reflecting this agreement, on 11 March 2010 NEC issued a resolution stating that State-level elections in Southern Kordofan would be postponed for 60 days. However, several opposition parties have denounced the proposed measures as unconstitutional because they were not approved by the National Assembly and because they fail to address perceived census irregularities in other parts of the country. Thus far, NEC has not taken a decision on the agreement of the Government of National Unity on the additional seats.

5. NEC has also decided to postpone elections for the State Legislative Assembly in Gezira State, following the decision of 27 December 2009 of the Supreme Court regarding constituency delimitation. The delay will allow Gezira State to redraw constituencies and increase Assembly seats from 48 to 84, in accordance with the Supreme Court decision.

6. In Southern Sudan, more than 300 SPLM members have registered to run as independent candidates, asserting that the SPLM internal candidate selection procedures ignored the party's rank-and-file. Although SPLM Secretary General Pagan Amum acknowledged "irregularities" and "shortcomings" in the candidate selection process, such as a lack of consultation at the State level, on 18 February 2010 the SPLM political bureau took a decision to disown all party members running as independent candidates. A small number of NCP affiliated politicians also declared independent candidacies after failing to secure party nominations.

7. Regarding the electoral environment, northern opposition political parties have called upon the Government of National Unity to postpone the vote until November 2010, claiming that more time is necessary to create an atmosphere conducive to free and fair elections. In this regard, during the reporting period UNMIS received numerous reports of arbitrary arrests, harassment and interference by security services in northern and Southern Sudan with political party members. On 4 March 2010, a group of political activists conducting a public rally was arrested in Khartoum and detained by the security forces on the grounds that they had caused "public noisiness". According to the United Patriotic Front, the National Intelligence and Security Service has also held some of its student members in incommunicado detention for several months. In Southern Sudan, political party offices were vandalized on three separate occasions, and individuals and groups affiliated with the SPLM-Democratic Change have reportedly been arbitrarily arrested and detained by SPLA in at least six separate incidents.

8. NEC has taken significant steps to address some of the concerns raised by parties during the reporting period. On 4 March 2010, the Juba Alliance parties, including SPLM, submitted a memorandum to NEC detailing a number of concerns on the electoral process, including on the census, constituency delimitation in many States in the Sudan, voter registration, and access to the media. NEC responded to the memorandum on 10 March 2010, reiterating its independence of any political party.

9. On 22 February 2010, NEC issued a Circular on Campaign Activities "to serve as a point of reference on what constitutes acceptable campaign conduct". Several opposition parties characterized it as an attempt to restrict their freedom of movement and infringe on the rights of political parties, and criticized NEC for failing to include a limit on campaign expenditures. On 2 March 2010, several opposition parties announced their withdrawal from the NEC mechanism for administering the national media, claiming that they had been shut out of the decision-making process, and that they were being used to legitimize a body in which they had no meaningful opportunity to participate. In mid-March 2010, in response to political party demands, NEC reduced the prior notice period required for political party rallies from 72 to 36 hours. Among other measures, NEC also increased the time allotted to political parties on television from 20 minutes to 30 minutes during the campaign period. Parties other than NCP have not yet responded as to whether they will participate.

10. A number of major political parties, not including SPLM, submitted a memorandum to the Presidency on 20 March 2010, calling for the postponement of elections until November 2010. The statement proposed the formation of a new national government in the interim period before the elections, which would be responsible for reviewing the shortcomings of the electoral law, legislative changes to promote a free and fair environment, addressing outstanding issues related to the Comprehensive Peace Agreement, and concluding an agreement in Darfur to allow for increased participation in the elections. The memorandum also called for the dissolution of NEC. The Popular Congress Party also did not sign the memorandum, signalling a possible division in the Juba Alliance on the issue of the timing of elections.

11. UNMIS is using its good offices to work with all concerned in assisting the Sudanese to establish an environment whereby the elections are acceptable to the people of the Sudan. The African Union High Level Implementation Panel for the Sudan has also continued its efforts towards creating an enabling environment for the elections. In a positive development, 15 southern political parties, including SPLM and SPLM-Democratic Change, led by Lam Akol, attended a meeting organized by the African Union High Level Implementation Panel in Juba on 2 and 3 March 2010, during which they signed a code of conduct and a declaration of commitments agreement. NCP and some northern parties subsequently signed the same agreements on 8 and 9 March 2010 in Khartoum, bringing the total number of signatories to 26 political parties.

Implementation of the Comprehensive Peace Agreement

12. Key aspects of implementation of the Comprehensive Peace Agreement are covered in the following section, including election preparations, referendum preparations, Abyei, Southern Kordofan, wealth-sharing, border demarcation and other peace agreements in the Sudan.

Election preparations

13. Regarding election preparations, NEC extended the nomination period, postponing publication of the final list of candidates to 30 January 2010 and the nomination appeals period to 31 January to 6 February 2010. The two deadlines for withdrawing nominations (14 February for executive offices and 11 March for

legislative officials were also consolidated to 12 February 2010, and campaigning began on 13 February 2010. As at 17 March 2010, the election calendar specified three days for polling (11-13 April 2010) and two days for run-off polling for the presidency (10-11 May 2010), if necessary.

14. NEC began accepting candidate nominations on 12 January 2010 and has registered 12 national presidential candidates, including Omar al-Bashir, of the National Congress Party, Yasir Arman, of the Sudan People's Liberation Movement, and Sadiq al-Mahdi of the National Umma Party, as well as one female candidate, Fatma Abdel Mahmoud, of the Socialist Union Party. Salva Kiir Mayardit is the SPLM nominee for the Presidency of the Government of Southern Sudan, challenged only by SPLM-Democratic Change candidate Lam Akol.

15. In the National Assembly, 2,317 candidates are contesting the 270 geographic constituency seats, 1,026 are contesting the 112 Women's List seats (representing the 25 per cent allocated to women in the National Assembly), and 793 are contesting the 68 Party List seats; 395 candidates are running for Southern Sudan Legislative Assembly seats. A total of 4,471 candidates are seeking seats in the 25 State Legislative Assemblies.

16. As at 22 March 2010, the distribution of ballot papers to States had begun and it is expected to be completed by 31 March 2010. While the training of Constituency Election Officers has been completed, there are still concerns regarding the timely arrival of funding for training at the polling centre level.

17. Security in Southern Sudan and Darfur during the elections period is of concern. In particular, the limited capacities of the Southern Sudan Police Service, including the overall level of training, the shortage of vehicles and the lack of communications equipment, will pose a challenge to the Government of Southern Sudan's ability to provide security during elections.

18. One of the main challenges during the elections will be the number of voters assigned to each polling station. Currently, NEC has plans to establish polling stations with more than 1,200 voters assigned to them, which will pose a significant difficulty in terms of the time allocated for voting. In addition, it is unclear whether the ink supplied to each station to mark voters will be sufficient for such high numbers.

19. The voter education campaign by NEC, launched in March 2010, consists of a national and State-level media campaign, face-to-face activities, and promotional materials. While most of these activities are supported by donors through the United Nations Development Programme-managed basket fund, NEC is organizing its own radio and television programmes, as are civil society organizations. For example, two vans equipped with loudspeakers will be touring most of the States for a 20-day period, beginning on 20 March 2010, to broadcast information about elections. Every Sunday, full-page inserts are published in 45 newspapers nationwide. Special emphasis is also placed on radio as the best means to communicate messages to voters, including illiterate populations. Despite the efforts made thus far, voter education remains an enormous challenge given the size of the Sudan, the large number of first-time voters, the security environment in some areas and the restrictions placed on civil society organizations.

20. Regarding elections observation, NEC has released a Code of Conduct for Observers and established a five-member Observation Committee. Additionally, the

Carter Center has signed a memorandum of understanding with the Sudanese Ministry of Foreign Affairs and has had observers on the ground for nearly one year. The European Union plans to conduct observation during the elections with a team of approximately 130 observers, while other regional organizations such as the African Union and the League of Arab States plan to send their own teams. Japan has also indicated its intention to send observers. The major networks of domestic observer groups have confirmed plans to depioy approximately 7,000 domestic observers throughout the country.

21. UNMIS continues to advise and provide technical support to NEC on electoral preparations, including the development of a draft operational plan for polling and counting, the design of voter education materials, the procurement of polling materials (together with the United Nations Development Programme (UNDP) and the International Foundation for Electoral Systems), the development of training materials and workshops. The Mission has established an electoral operations centre and now has electoral support teams in 23 of Sudan's 25 States. The African Union-United Nations Hybrid Operation in Darfur (UNAMID) continues to support UNMIS electoral operations in Darfur, providing important logistical support across the region.

Referenda preparations

22. Significant challenges remain in the preparations for the referenda scheduled for 9 January 2011. Although the parties to the Comprehensive Peace Agreement have shown increasing political will to address referendum-related issues, they have made little concrete progress in establishing arrangements that would be required no matter the outcome of the referenda. On 10 February 2010, Government of Southern Sudan President Salva Kiir established the Southern Sudan 2011 Taskforce, chaired by the Government of Southern Sudan Vice-President Riek Machar, which will act as a planning team for referendum and post-referendum arrangements. On 20 February 2010, the Presidency of the Government of National Unity issued a resolution urging the parties to the Comprehensive Peace Agreement to assure the Sudanese people that the parties will reach agreement on the post-referendum arrangements, preferably before the conduct of the referendum in 2011, and to mobilize support from and agree on a well-defined role of the international community. The parties to the Agreement have not, however, agreed upon a structure, mechanism or timetable.

23. NCP announced in mid-March 2010 that the parties had agreed on a structure for post-referendum negotiations. According to the announcement, the talks will be bilateral with sub-teams tasked to negotiate a number of thematically grouped issues. The negotiation will be supported by a secretariat with equal numbers of representatives from both parties. If external assistance from the international community should become necessary, the request for such assistance by the parties will be coordinated and streamlined.

24. Regarding UNMIS planning for the referenda, an assessment mission led by the Department of Peacekeeping Operations was deployed to the Sudan from 18 to 30 March 2010 to evaluate the Mission needs in providing referenda support. As the Council is aware, the electoral component of the Mission has been strengthened on a temporary basis to provide technical support to the National Elections Commission and the 10 Southern Sudan High Committees. Limited capacity available to these

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electoral bodies, particularly in Southern Sudan, has been one of the main challenges in preparations for the elections. The lack of infrastructure in Abyei is particularly acute. Although the referenda in Southern Sudan and Abyei involve a smaller number of eligible voters than those participating in the April 2010 elections, the referenda processes will require a new round of registration, in accordance with the Referendum Acts for Southern Sudan and for Abyei. Furthermore, the Referendum Acts envisage the establishment of subcommittees at the county level.

25. In this context, strengthening of the electoral component of UNMIS, in addition to the retention and the redeployment of personnel recruited in support of the elections, would enhance technical support to the Referendum Commissions at multiple levels. In addition, UNMIS is planning to provide logistical assistance, particularly in the transportation of material, similar to the level of support provided for the elections. The overall presence of UNMIS electoral component and other United Nations personnel supporting the referenda in Southern Sudan and Abyei will be contingent on UNMIS mission support capacities.

26. With respect to referenda security, in the light of limited capacities of the Southern Sudan Police Service noted in paragraph 17 above, the police component of UNMIS will play an active role in advising the Southern Sudan Police Service and Abyei local police on arrangements to ensure a peaceful environment for the referenda. In addition, UNMIS in Southern Sudan, Abyei and other border areas will engage in efforts to identify potential flashpoints and promote local reconciliation, bringing together all relevant components within the Mission, to prevent referendum-related violence and to support the protection of civilians.

Abyei

27. Political disagreements within the Government of National Unity have contributed to delays in the appointment of posts in the Southern Sudan and Abyei Referendum Commissions, hampering progress on technical preparations for the referenda planned for January 2011.

28. In a positive development, on 5 February 2010, Deng Arop Kuol assumed his post as the new Abyei Chief Administrator. Local Abyei officials continue to point to funding delays as a major obstacle to the establishment of basic administrative operations and the provision of services in the area. A United Nations inter-agency team is providing technical assistance to the Abyei Ministry of Finance as it facilitates compliance with the Government of National Unity Ministry of Finance requirements for the release of funds, including local civil service reform.

29. Misseriya elements in the northern portions of the Abyei area have continued to deny UNMIS Joint Monitoring Teams access to some locations, often with threats of violence. On 17 February 2010, following a complaint from Misseriya leadership to the Abyei Area Joint Military Committee regarding UNMIS use of armoured personnel carriers, the Abyei Security Management Team declared the Misseriya-dominated villages of Dumboloya, Um Khaer and Shegei to be restricted areas for United Nations and NGO civilian movements and operations. This has significantly impeded humanitarian operations in these areas.

30. Insecurity has prevented progress on the physical demarcation of the Abyei boundary in accordance with the Permanent Court of Arbitration award of 22 July

2009. As of 9 March 2010, the demarcation team had not made any progress since my last report (S/2009/31).

Southern Kordofan

31. While there has been progress in the parties' discussions regarding the popular consultations, there has been little progress by way of practical implementation of concrete steps thus far. The delay has been due not only to the difficulty of the task, but also the Comprehensive Peace Agreement requirement that the popular consultations be conducted by the elected State Legislature. As the popular consultations are already seriously behind the schedule set out in the Comprehensive Peace Agreement and, with the delay in elections in Southern Kordofan, there is a pressing need to find ways of moving this work forward in the coming weeks and months.

Wealth-sharing

32. According to the Government of Southern Sudan Ministry of Finance and Economic Planning, the total oil revenue of the Sudan in 2009 from oil resources in the south was $2,566.16 million, of which the Government of Southern Sudan share was $1,067.7 million. The total reportedly transferred from Khartoum to the Government of Southern Sudan was higher, at $1,775.25 million, including $350.54 million towards the settlement of arrears, a refund of $52 million that the Government of the Sudan had deducted unilaterally for elections expenditure, and the withdrawal of $493.96 million from the Oil Revenue Stabilization Account. Owing to declines in oil prices in the first half of 2009, annual oil revenues were $3,999.88 million less than in 2008. In January 2010, the Government of Southern Sudan received oil revenue transfers of $120.73 million, with $82.22 million from exports and $38.51 million from a withdrawal from the Oil Revenue Stabilization Account.

33. Non-oil revenue collection in Southern Sudan remains relatively minor. According to the Government of National Unity Ministry of Finance and National Economy, a total of $18.86 million was collected in 2009, an increase over the $15.5 million in 2008.

34. The appointment of the National Land Commission remained outstanding, despite the enabling legislation signed into law in June 2009. The Southern Sudan Land Commission also remains non-functional.

Border demarcation

35. The issue of border demarcation was accorded special attention by the parties to the Comprehensive Peace Agreement during the reporting period. In February 2010, the Technical ad hoc Border Committee expanded the number of contested areas from three to five, adding Kaka Town (along the border of northern Upper Nile State) and the area on either side of the Bahr al-Arab/Kiir River (on the border between southern Darfur and Northern Bahr al-Ghazal). Also in February 2010, the Presidency instructed the Border Committee to commence demarcation, from the border with Ethiopia to the meeting point of the Blue Nile and Sennar States. UNMIS has continued to support technically the work of the Border Committee, including by organizing a workshop on border demarcation. The Border Committee

has indicated that it will continue to need technical assistance and logistical support throughout the demarcation process.

Eastern Sudan Peace Agreement

36. The political and security situation in eastern Sudan remains calm. Minimal progress was made in the implementation of the outstanding benchmarks of the Eastern Sudan Peace Agreement, including the reintegration of ex-combatants under the disarmament, demobilization and reintegration programme, funding to the Eastern Sudan Recovery and Development Fund, and the representation of eastern Sudanese in the national civil service. Differences among the Agreement signatories are widening in the run-up to the elections as they compete as distinct political parties, and there have been several complaints of harassment and intimidation.

Darfur peace process

37. On 23 February 2010, the Government of the Sudan and the Justice and Equality Movement (JEM) finalized and signed a framework agreement, which was facilitated under the sponsorship of the President of Chad, Idris Déby. The Agreement, which builds on the goodwill agreement of 17 February 2009 between JEM and the Government, committed the two parties to an immediate ceasefire, to the release of prisoners and the negotiation of a final peace agreement by 15 March 2010. The agreement did not address a ceasefire implementation protocol or a final agreement, largely owing to disputes over the participation of other movements in the peace talks and JEM demands for the delay of the national elections. Despite the lack of progress in the negotiations, the ceasefire between JEM and the Government has been respected.

38. Following weeks of consultations, the SLM-Revolutionary Forces and three movements from the Road Map Group announced the creation of the Liberation and Justice Movement (LJM) on 23 February 2010 in Doha. Its Chairman, Eltigani Sesi Ateem, is a civilian former Governor of Darfur. On 18 March 2010, the Government of the Sudan and LJM signed framework and ceasefire agreements and committed themselves to negotiate a final accord by 31 March 2010.

39. The Darfur mediation, in collaboration with UNAMID, also launched a series of civil society consultations that will seek to build on the momentum of the first Doha Darfur civil society conference, held in November 2009. The consultations aim to bring together the views and the interests of Darfur's diverse communities and provide popular support for the peace process.

III. Security developments

Conflict at the local level

40. The security environment in the UNMIS area of operations remained relatively stable, although significant security incidents occurred in Southern Sudan, including in Lakes, Upper Nile, Warrab and Jonglei States. Cattle rustling, migration-related incidents, and other inter-communal disputes remain conflict drivers in the south, and tensions have increased ahead of the elections.

41. On 20 February 2010, Ngok Dinka elements raided a Southern Sudan Police Service armoury and attempted to break into a Sudan Peoples' Liberation Army

(SPLA) camp in Lakes State, triggering a violent confrontation with SPLA that left seven civilians dead, including the Ngok Dinka paramount chief.

42. Tensions in Abyei escalated steadily during the reporting period. The failure of the local stakeholders to hold a community conference on migration arrangements, and SPLA insistence that the Misseriya relinquish their personal firearms before entering the south, impeded the Misseriya's southward migration, effectively trapping them in the northern portion of the Abyei area during the reporting period. Their protracted stay has placed greater strain on the area's water and pasture resources.

43. On 23 January 2010, SPLA units and Misseriya nomads exchanged fire along the Bahr al-Arab/Kiir River, Unity State, killing one SPLA soldier and two Misseriya men. On 4 February 2010, a clash in Abiemnom County, Unity State, left eight civilians dead, including six Misseriya tribesmen and two SPLA soldiers. On 17 March 2010, a Misseriya-SPLA firefight in Unity State left 13 dead.

44. With respect to the migration, UNMIS and UNDP are providing guidance and training support to local committees recently formed in the area which have worked to resolve the disputes along the border. On 4 March 2010, a framework agreement was reached between the Misseriya leadership and local authorities with regard to facilitating the annual migration into Abiemnon County and into Unity State in general.

45. During the reporting period, UNMIS monitored the Government of Southern Sudan-led forced civilian disarmament process in Jonglei, Warrap and Lakes States. While the majority of these exercises remained peaceful, the lack of mechanisms to provide security to disarmed communities led to a number of violent incidents with an unconfirmed number of casualties.

46. Over the course of the reporting period, UNMIS also facilitated a 10-State Governors' conference in Kadugli, a three-State conference in Bentiu and a Warrap-Unity Governors' conference, as well as Nuba-Misseriya, Nuer-Misseriya, and Dinka Malual-Rezeigat inter-communal conferences. UNMIS also worked closely with authorities and communal leaders in Jonglei State to prevent the mobilization of armed Dinka Bor youth and facilitated the efforts of the Government of Southern Sudan Ministry for Internal Affairs to de-escalate potential conflicts in Warrap and Jonglei States. An UNMIS cattle-tracking initiative led to the return of 1,400 cattle to the Bari tribe in Central Equatoria State, easing Bari-Mundari relations. Additionally, UNMIS and UNDP have continued to facilitate round-table meetings of the Southern Sudan political parties as part of a wider conflict mitigation strategy.

Redeployment of forces

47. The Sudanese Armed Forces (SAF) has redeployed 100 per cent of its forces from Southern Sudan; as at 26 January, SPLA had redeployed from northern Sudan approximately 35 per cent of its stated strength of 59,168, up from approximately 33 per cent as of my previous report. Both parties accepted these figures in the 111th meeting of the Ceasefire Joint Military Committee. UNMIS, however, experienced restrictions on its freedom of movement, including denials and refusals by national monitors to participate in the monitoring and verification of redeployment. Integrated efforts by UNMIS civilian and military components have been successful in overcoming some of these deadlocks.

Joint Integrated Units

48. Joint integration of SPLA and SAF stands at approximately 83 per cent of the mandated strength of 39,639 troops, unchanged since April 2009. The re-verification exercise previously scheduled for completion by 15 November 2009 is still ongoing. SAF Major General Yahya transferred command of the Joint Integrated Units to his former deputy SPLA Major General Marial on 27 January 2010, in accordance with the regular rotation of JIU leadership.

49. There were no reports of significant security incidents related to Joint Integrated Units during the reporting period, although the units remain a source of tension in some areas. Owing to the anticipated expense, SAF has discarded plans for the rotation of the entire Malakal Joint Integrated Units and plans instead a limited rotation of SAF troops from the Malakal Joint Integrated Units to Nasser.

UNMIS military deployment

50. As at 20 March 2010, 9,855 of the authorized 10,000 UNMIS military personnel were deployed, including 470 military observers, 191 staff officers and 9,194 troops. On the basis of the recommendations of the 2008 military capability study, deployment of additional troops, within the Mission's authorized strength, will continue until UNMIS military strength reaches 9,990 personnel, expected by end March 2010. During the reporting period, the military component focused its operations on conflict deterrence, protection, monitoring and preparation for electoral support, as reviewed in relevant sections of the present report.

51. Regarding the implementation of the military capability study discussed in my previous report (S/2010/31), delays by the Government of the Sudan in issuing entry permits for UNMIS-contracted vessels have had a negative impact on the Mission preparations in support of elections. Specifically, a vessel transporting equipment for the Bangladeshi contingent was held offshore by Sudanese authorities for 64 days, a vessel transporting equipment for the Egyptian contingent was detained outside of Port Sudan for 24 days, and a third vessel with Zambian equipment was detained for four days, resulting in detention charges of more than US$ 750,000.

52. SAF continues to prevent the movement of UNMIS military through the Higlig-Kharasana area near the border between Unity and Southern Kordofan States. UNMIS continues to raise this issue with the Government of the Sudan Ministry of Foreign Affairs and the Ministry of Defence, but the issue has not been resolved. In addition, SPLA has obstructed freedom of movement of UNMIS in areas north of Raja, Western Bahr al-Ghazal, southeast of Torit, Central Equatoria State, and North of Aweil, Northern Bahr al-Ghazal. These restrictions on the freedom of movement of UNMIS by both parties have negatively affected the Mission's ability to implement its mandate.

UNMIS Police

53. During the reporting period, the Government of Southern Sudan took encouraging steps to reorganize, reform and restructure the Southern Sudan Police Service, including through the passage of the new Police Act, the appointment of a new Inspector General of Police, and the recruitment of 6,000 high school graduates to replace the elderly and infirm personnel of the Police Service.

54. The Southern Sudan Police Service continued to face serious logistical challenges in the conduct of its policing activities. Currently, of the 300 vehicles available for the Police Service, 200 are not operational. During the reporting period, UNMIS trained over 2,500 Police Service personnel in formed police unit duties. Absent anti-riot equipment and vehicles, these officers have not been able to fully function as planned. Communication also continued to be a challenge for the Police Service, with 45 locations in all 10 States lacking means of formal communication.

55. As of 15 March 2010, UNMIS had deployed 95 per cent of its mandated strength (690 police advisers, including 99 women out of 715) to 25 team sites throughout the Mission area.

56. During the reporting period, the UNMIS police component focused its effort on training local police on elections security, conducting 322 election security training sessions across all sectors for 22,800 local officers. In a joint training funded by the Government of Norway, United Nations Police and Norwegian instructors trained 120 Southern Sudan Police Officers on election security training in Nairobi.

57. As part of its technical support to NEC, UNMIS has compiled the official Election Security Handbook to be used by the Government of the Sudan and Southern Sudan Police Service during the election period. A total of 27,000 copies have been printed by UNDP, and UNMIS is working in collaboration with UNAMID to facilitate distribution throughout the Sudan.

58. UNMIS also continued to train local police on training of trainers, riot and crowd control, VIP and close protection, forensics, community policing, crime scene investigation, human trafficking and organized crime, human rights and advanced investigation. Joint patrols between local police and UNMIS police component were initiated to create public awareness and to monitor the security situation in preparation of the forthcoming election.

Disarmament, demobilization and reintegration

59. The Government of Southern Sudan's disarmament, demobilization and reintegration programme progressed during the reporting period. However, the gap between demobilization and reintegration continued to widen, in part because of inadequate funds for reintegration. Since the launch of the national disarmament, demobilization and reintegration programme in February 2009, as at 16 March 2010 approximately 21,037 former combatants and members of special needs groups had been demobilized and had received reinsertion packages, comprising approximately 33 per cent of the caseload for phase one of the disarmament, demobilization and reintegration programme. In Southern Kordofan State, demobilization continued in Kadugli after the successful completion of the demobilization of former SPLA combatants in Julud. In Southern Sudan, demobilization in Rumbek (Lakes State) was suspended as of mid-December 2009 owing to a shortage in food support provided by the World Food Programme.

60. During the reporting period, reintegration packages were delivered by the Government of Southern Sudan to 420 participants, including 128 women. As of mid-March 2010, approximately 10,266 disarmament, demobilization and reintegration participants had received individual counselling services in preparation

for reintegration. Additionally, UNDP has finalized contracts with implementing partners to provide reintegration support for approximately 4,569 participants in the transitional areas. In Southern Sudan, contracts have been finalized to provide reintegration support for all participants in eight States. During the reporting period, the United Nations Peacebuilding Fund approved $6.6 million and Spain $2.8 million for the reintegration programme. UNDP has received $39 million for the year and has a current shortfall of $95 million that may be covered to some extent by the timely disbursement of funds that have been pledged.

61. The major shortcomings that were identified in the independent assessment of the disarmament, demobilization and reintegration programme, as mentioned in paragraph 56 of my last report (S/2010/31), have been largely addressed through the newly established disarmament, demobilization and reintegration High-Level Committee, which signed on 3 March 2010 standard operating procedures to govern candidate eligibility verification, as well as the identification and verification of Women Associated with Armed Forces and Groups in Southern Sudan.

Mine action

62. Sixty hazardous kilometres of road were cleared and nearly 12 square kilometres of land released to the local population during the reporting period, bringing the total to 38,258 kilometres and 56,528 square miles cleared. In addition, clearance has now been completed of all known priority roads in the Blue Nile State and of 75 per cent of all known dangerous areas in the northern region.

IV. Protection of civilians

63. Since the beginning of 2010, at least 450 civilians have been killed and at least 40,000 displaced in Southern Sudan. While the Government of Southern Sudan holds the primary responsibility for protection in Southern Sudan, weak and over-stretched government institutions have hampered its capability to protect civilians, particularly in remote, rural areas. In this context, UNMIS is authorized under its mandate to protect "civilians under imminent threat of physical violence", a mandate that the Mission has taken forward with an integrated approach involving civilians, military and police, and non-governmental organizations.

64. The UNMIS protection of civilians strategy is based on a three-tier approach: (i) the immediate security required to physically protect civilians under imminent threat of physical violence; (ii) the delivery of basic needs through securing access for humanitarian and relief activities; and (iii) deterrence and enhancing State capacity to protect through conflict prevention and management, and the strengthening of human rights mechanisms. To operationalize its strategy, UNMIS has taken a number of measures in the field, including increased coordination mechanisms among all actors and improved synergies in information exchange and situational analysis, to understand the causes of civilian insecurity and develop joint planning, scenarios and contingency planning.

65. To this end, on 29 December 2009, the UNMIS Force Commander issued a directive to all sector commanders to implement the Protection of Civilians strategy and report back on actions taken in each sector. Since then, the Protection of Civilians Section has undertaken trainings for sector commanders, heads of office, and heads of sections on the strategy and outlined the expectations. Protection and

conflict management forums have been established at the sector level and are to be replicated at the team site level to share and analyse early warning information.

66. One of the key ways in which this protection strategy is translated into UNMIS operations is through increased patrolling and extended UNMIS presence in remote potential hotspots in Southern Sudan. In response to major conflicts, including the mid-January clashes between Dinka and Nuer which resulted in 50 reported deaths and at least 11,000 persons displaced, both local authorities and UNMIS have increased interventions and patrols. The SPLA has deployed pre-emptively in several States and UNMIS has conducted an increasing number of long-range patrols and facilitated evaluation of the injured. Importantly, the patrolling programme for UNMIS plans for an increase in the duration of patrols to 10 days, which will enhance the Mission presence in key hotspots. Currently, more than one third of the long range patrols have been deployed or re-directed to assist post-conflict resolution and inform humanitarian response, including in Yirol, Terekeka, Mvolo, Budi, Mayom, Cueibet, Yei and Abiemnom.

67. In January 2010, the UNMIS military component initiated pre-emptive patrolling in 13 areas in Southern Sudan where potential inter-communal violence had been identified, in order to provide a deterrent presence. In February 2010, UNMIS operations were extended across the Nile in Upper Nile State, including long range patrols into the Shilluk Kingdom and remote areas near the north-south border. UNMIS pre-emption measures recently led to the prevention of an outbreak of violence, following a long range patrol to Gemmaiza, Central Equatoria State. In addition, a Joint Monitoring Team's rapid response to reports of clashes in Abiemnom helped to de-escalate tensions in the area.

68. In Southern Sudan, UNMIS and the United Nations agencies, funds and programmes are working to "join up" their protection activities, including through early warning systems and rapidly deployed joint protection patrols with State and security officials. The agencies, funds and programmes are also helping to strengthen the capacity of communities to protect themselves through their community protection networks, especially in affected areas, including Jonglei State.

69. A key protection-related priority for UNMIS remains promoting the peaceful passage of northern nomads and their herds on their annual migration across the north-south border. In response to clashes between the Misseriya and SPLA in Unity State, UNMIS convened a tripartite conference in Bentiu on 3 and 4 March 2010, which formulated guidelines to facilitate peaceful migration. In addition, UNMIS is training local police in deterrence, prevention and intervention measures in relation to human rights, crisis or post-crisis situations, community policing, sexual and gender-based violence, and gender and child protection.

Child protection

70. UNMIS has continued its efforts to secure the release of abducted children. During January 2010, and with the assistance of UNMIS, 13 former Lord's Resistance Army (LRA) child abductees were reunited with their families. As required by Security Council resolution 1612 (2005), and further to the commitments received for the release of children associated with SPLA, the SPLA senior command sent a directive to all commanders ordering the immediate release of all children in barracks. On 25 January 2010, 10 child soldiers serving at the

Panpandiar military training academy in Jonglei State were demobilized. In support of the directive, the UNMIS Child Protection Unit has developed a child soldier-tracking map for Upper Nile, Jonglei and Unity States, which is being used by the military component of the Mission to engage SPLA commanders.

V. Humanitarian situation, recovery and return

Humanitarian developments

71. More than 40,000 persons have been displaced in Southern Sudan as a result of inter-communal violence during the reporting period, bringing the total number of newly displaced persons since January 2009 to 440,000. There have been at least 450 civilians killed in inter-communal violence during the first three months of 2010. Early migration of northern pastoralists in Southern Sudan owing to late and poor rains in 2009 have contributed to the decline in security and have directly led to violence in the border States.

72. As part of ongoing efforts to deliver life-saving assistance to the victims of the clashes, 26 major emergency operations are currently under way in nine southern States. Coordinated by the Government of Southern Sudan and the Office for the Coordination of Humanitarian Affairs, and with support from UNMIS humanitarian sections, these operations involve all of the United Nations humanitarian agencies and nearly 100 NGOs, with assistance delivered to at least 1.5 million people. Reaching populations in need has been particularly difficult during the first months of the year since several of the most affected areas have almost no United Nations or NGO presence, owing to insecurity, poor roads and lack of Government capacity. With only a limited window to pre-position supplies before the rains cut off access to most of Southern Sudan, humanitarian agencies are working to procure and pre-position five core humanitarian elements including vaccines, emergency drugs, non-food items, seeds and tools and food.

73. The Famine Early-Warning System Network indicates that food security in Southern Sudan will worsen sharply as a result of the combined impact of inadequate rainfall last year, several consecutive poor or failed harvests and high food prices. In January 2010, the World Food Programme (WFP) announced that the number of people in Southern Sudan requiring food assistance at some point during the year will quadruple to 4.3 million people, close to half of the entire population in the south. According to the annual needs and livelihoods assessment, which is conducted jointly by the Government of Southern Sudan, WFP and the Food and Agriculture Organization of the United Nations, the number of severely food insecure people will increase from approximately 1 million in 2009 to 1.5 million in 2010. An additional 1.8 million people will be moderately food insecure at some point and a further 1.1 million people will receive assistance through food support programmes. Food insecurity is expected to increase in seven southern States.

74. In response to the massive food deficit, WFP is currently pre-positioning approximately 60,000 metric tons of food, tripling the amount of food pre-positioned last year. Approximately half of the assistance pre-positioned is destined for Jonglei State, which has been strongly affected by food insecurity and inter-communal conflict. As part of a massive effort to reach vulnerable populations, WFP has rapidly scaled-up the number of people receiving food assistance from 230,000 in January 2010 to 1.2 million people in February 2010.

75. In February 2010, a nutrition survey conducted in Akobo County, Jonglei State, showed emergency levels of malnutrition in the area. Global acute malnutrition levels of 45 per cent and severe acute malnutrition of 15 per cent were confirmed in three surrounding payams. In other areas of Jonglei State, humanitarian agencies are registering a threefold increase in admissions to malnutrition programmes. The trend is particularly worrying since the peak of malnutrition is normally several months later in the year during the "hunger gap" in April and May.

Recovery and development

76. Efforts to stabilize affected States in Southern Sudan have been taken forward through the Sudan Recovery Fund, which has been reoriented at the request of the Government of Southern Sudan into a stabilization instrument. In Jonglei State, the first State chosen to receive stabilization funds, the opening of the road from Bor to Pibor has been given priority and is being taken forward using a combination of short-term job creation opportunities for youth with the use of heavy machinery. In Lakes State, three main priorities were identified by the State Security Committee, including the opening of roads to allow the deployment of security forces into conflict areas.

77. On 3 March 2010, the Government of Southern Sudan and the World Bank signed four grant agreements, committing the latter to fund nearly $125 million towards health, road rehabilitation, infrastructure development and skill training for adolescent girls. The funds are part of the Multi-Donor Trust Fund administered by the Bank.

78. Efforts to strengthen the core functions of the Government of Southern Sudan have accelerated. UNDP, under Government of Southern Sudan leadership and in partnership with the United Nations Volunteers and other partners, has developed the Rapid Capacity Placement Initiative to support State capacity-development. Through the initiative, up to 150 qualified international United Nations Volunteers will be deployed to each of the 10 Governor's offices to boost the capacity of State Governments to deliver services to the people, accelerate economic performance and strengthen community security and the rule of law.

79. The challenges faced by the Government of Southern Sudan in this area are significant and, in recognition of the work ahead, Southern Sudan has been selected by the Organization for Economic Cooperation and Development to participate in an international dialogue on peacebuilding and State building.

Return and reintegration

80. Cumulative spontaneous returns since 2005 are estimated at over 2 million people, while total organized and assisted returns of refugees and IDPs exceeded 343,300. Few return movements occurred during the reporting period, most of which were limited to destinations along the north-south line, including Abyei area and greater Bahr el-Ghazal. Southern Sudanese refugees currently living in Uganda are expected to return home in order to vote in the 2011 referendum. The United Nations High Commissioner for Refugees (UNHCR) is planning to repatriate upwards of 12,000 refugees in the months ahead.

VI. Governance and human rights

Rule of law

81. In its final session in December 2009, the National Assembly adopted legislation related to the Comprehensive Peace Agreement, including the National Security Forces Bill, the Regulation of Prisons and Treatment of Inmates Bill, the Trade Unions Bill, the Child Bill, the Southern Sudan Referendum Bill, the Abyei Referendum Bill, the Popular Consultation for Blue Nile and the Southern Kordofan States Bill. These laws, if implemented, will constitute significant progress towards the implementation of the Agreement.

82. Serious challenges remain with respect to the justice system throughout the Sudan. The judiciary in general has limited independence and transparency, while access to legal aid remains a significant concern. In Southern Sudan, a key challenge is the lack of legislative, judicial and law-enforcement institutions, particularly in the areas of physical infrastructure, skilled professionals and transportation and communications equipment.

83. In Southern Sudan, UNMIS continues its advisory support to the legislative reform process, including the provision of technical support for drafting legislation. The Mission also advised the judiciary on means for reducing lengthy remand committals and successfully completed three workshops on that issue together with the United Nations Office on Drugs and Crime.

84. UNMIS has established the Justice and Security Sectors Advisory and Coordination Cell in Southern Sudan, which will contribute to more coherent and efficient support to the justice and security sectors' development and will enhance coordination among Government of Southern Sudan institutions, United Nations entities, civil society organizations and other international actors.

Human rights

85. While there were some positive developments in addressing human rights challenges in the Sudan, key legislative and political concerns remain, particularly with respect to the electoral environment. During the reporting period there were reports of violations of political rights and freedoms, including harassment, intimidation, arbitrary arrest and detention, carried out by the National Intelligence and Security Services in the north and SPLA in the south (discussed in detail in the elections section of this report).

86. In this context, the continuing application of the National Security Forces Bill and the Criminal Procedure Law provides a legal umbrella for human rights violations by Government security forces in the north and the south. In this context, UNMIS has been addressing human rights issues with the Government of National Unity through regular meetings with the Advisory Council of Human Rights.

87. Concerns about the application of the death penalty in the Sudan continue. On 14 January 2010, six men implicated in the killings of 13 policemen during riots in the Soba Aradi neighbourhood of Khartoum in 2005 were executed, despite appeals from three United Nations Special Rapporteurs and UNMIS. In a positive development, on 24 February 2010, the Government of the Sudan released 57 detainees on death row, following the political agreement with JEM. Fifty of the

detainees had been sentenced to death for involvement in the JEM attack on Omdurman in May 2008.

88. While significant progress was noted in the operational capacity of the Southern Sudan Human Rights Commission, the establishment of the national human rights commission called for under the Comprehensive Peace Agreement remains to be established.

89. The Government of National Unity cooperated fully with the United Nations Human Rights Council independent expert on the situation of human rights in the Sudan during his first visit to the country in January 2010. The Government of National Unity also participated on 5 February 2010, in the Human Rights Forum in dialogue with the United Nations, the diplomatic and donor community and civil society on human rights challenges in the Sudan.

VII. Cross-cutting issues in the Mission

Public information

90. UNMIS public information has prioritized elections awareness in the period preceding national elections. The Mission conducted elections awareness information sessions at universities and IDP camps in many locations in the Sudan and organized training for local media in Khartoum on reporting on elections.

91. Despite the increasing need for a nationwide independent broadcast media outlet, in particular in the lead-up to the elections, United Nations-sponsored Radio Miraya has not yet been assigned an FM frequency in northern Sudan by the Government. The radio has expanded its coverage in Southern Sudan by installing an FM transmitter in Kaput (Eastern Equatoria State) and airs daily short-wave broadcasts.

Conduct and discipline

92. UNMIS strengthened its focus on prevention of misconduct, considering the changing environment leading to the elections in the Sudan. Training and awareness raising were conducted in all sectors, as well as continued monitoring of risk factors, with increasing interaction between peacekeeping personnel and local communities/leaders during this electoral phase.

93. Compliance by all categories of UNMIS personnel with the United Nations Code of Conduct and zero tolerance policy on sexual exploitation and abuse remains a key priority. During the reporting period, the Mission received seven allegations of serious misconduct, which are under review.

Gender

94. UNMIS provided technical support and advice to partners on issues relating to gender mainstreaming, including meetings with State High Committees, gender-based violence training for disarmament, demobilization and reintegration beneficiaries and a three-day workshop on the national women empowerment policy in collaboration with the Ministry of Social Welfare, Women and Child Affairs.

95. On 11 February 2010, a Ministry of Justice Task Force was established to provide technical expertise and advice on the implementation of Security Council resolution 1820 (2008), in collaboration with UNMIS.

HIV/AIDS

96. UNMIS continued to support integration of HIV/AIDS awareness in the disarmament, demobilization and reintegration programme and has conducted an awareness and capacity-building campaign that benefited over 4,300 members of the Sudanese Police, including 1,200 new recruits, and 600 former combatants. Awareness campaigns were also conducted among youth and women groups and IDP camps.

Staff security

97. Criminality and banditry continue to pose threats to United Nations staff. At least 40 incidents of theft, break-in, criminal damage and road banditry were perpetrated against United Nations staff, vehicles and residences.

98. However, with the improved security situation, the northern Sudan security phase was lowered from III to II effective 17 December 2009.

Coordination with other peacekeeping missions

99. UNMIS senior leadership attended a retreat in Kigali on 27 February 2010, on peace, security, recovery and development in Darfur. It was organized by UNAMID and was attended by a representative from the Joint Mediation Support Team and special envoys from France, the United Kingdom, the United States and the European Union.

Financial aspects

100. The General Assembly, by its resolution 63/273 B of 30 June 2009, appropriated for the maintenance of UNMIS for the period from 1 July 2009 to 30 June 2010 the amount of $958.4 million. Should the Security Council decide to extend the mandate of UNMIS beyond 30 April 2010, the cost of maintaining the Mission until 30 June 2010 would be limited to the amounts approved by the General Assembly.

101. As at 17 March 2010, unpaid assessed contributions to the Special Account for UNMIS amounted to $382.3 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $4,162 million.

102. Reimbursement of troop-contributing Governments for contingent-owned and troop equipment costs has been made for the period up to 30 June 2009 and 31 October 2009, respectively.

VIII. Observations and recommendations

103. The parties to the Comprehensive Peace Agreement made progress on a number of fronts over the course of the reporting period, including resolution of the long-standing dispute over the census results and advances in the north-south border demarcation. The Sudanese political agenda remains strained, however, and with

less than 10 months remaining before the referenda, delays in addressing any of the major outstanding issues are likely to have serious repercussions for the entire peace process. As I called for at the African Union Summit in January 2010, at this juncture, it is incumbent upon the Sudanese political leadership and its partners to prioritize those issues most vital to peace and security, and move forward as quickly as is feasible.

104. I welcome the renewed commitment of the parties to negotiating the post-referendum issues and, in particular, their achievement in agreeing to the negotiating process and structure. I respect their intention to conduct the negotiations bilaterally and stand ready to lend assistance as and when requested. I urge that substantive talks between the parties commence in earnest as soon as the important benchmark of holding the elections has been achieved.

105. The period leading up to and immediately following the elections will be particularly sensitive. These elections should play a positive role in strengthening opportunities for the people of the Sudan to play a more active role in the political life of their country and to let their political voice be heard. I call on all concerned to ensure that the electoral environment is conducive to the holding of free and fair elections that are acceptable to the Sudanese people. I also call on the Government of National Unity and Darfur armed movements and stakeholders to ensure that negotiations towards a comprehensive peace agreement continue with full speed in the post-electoral period.

106. In the post-election period to come, support to establishing the conditions for peaceful referenda and post-referendum processes will be the highest priority of UNMIS. As such, I cannot overemphasize the importance of both effective technical preparations for the referendum voting process and a workable agreement on post-referendum arrangements. The political sensitivity of these issues has led to concern and caution by both parties to the Comprehensive Peace Agreement. However, in the sixth and final year of the interim period, it is critical that this caution is not used to obstruct full implementation of the Comprehensive Peace Agreement. I urge the parties to the Agreement to urgently establish functional referendum commissions for both Abyei and Southern Sudan, and to start negotiations on post-referendum arrangements. UNMIS stands ready to assist the parties to the Agreement in these efforts, and in improving coordination between international partners supporting this process.

107. One of the most important issues that must be addressed by the parties is the situation in Abyei, particularly with respect to the concerns of the Misseriya and Dinka Ngok communities. It is critical that the Border Committee be permitted to conduct its work in the Abyei area, and that mechanisms be established by the Government of National Unity to ensure the participation of the Misseriya and Dinka Ngok in the remaining Comprehensive Peace Agreement processes.

108. As part of discussions around arrangements for the holding of the referenda and the necessary agreements that must be made on a number of related issues, appropriate planning should be conducted for the period after the referenda, no matter their outcome. In this regard, the United Nations will consult informally with its partners in the Sudan and in the international community to examine post-referenda scenarios and support that may be required. With the end of the transition nearing, and regardless of the outcome of the Southern Sudan referendum, efforts to rapidly build the capacity of the Government of Southern Sudan to execute core

governance functions need to be accelerated. The United Nations will develop, in partnership with the Government of Southern Sudan, and in consultation with the Bretton Woods institutions and other relevant stakeholders, a capacity-building plan that sets out a balanced approach to both short and medium-term priorities and timelines, with the core objective of assisting the Government to establish functioning and accountable institutions.

109. In the coming period, UNMIS will face key challenges with regard to referendum preparations, security in the south, and capacity-building in the UNMIS areas of operation. In this regard, the Mission will continue to work on human resources and planning aspects related to the Mission's engagement in these areas.

110. In view of the above, I recommend that the Security Council consider extending the mandate of UNMIS for a further period of 12 months, until 30 April 2011.

111. In conclusion, I wish to extend my gratitude to my former Special Representative for the Sudan, Ashraf Qazi, and Deputy Special Representative, Ameerah Haq. I wish to extend my welcome to my new Special Representative, Haile Menkerios, and new Deputy Special Representatives, Jasbir Lidder and Georg Charpentier, and to thank all United Nations staff working in the Sudan, Member States, including troop- and police-contributing countries, and donors, for their determined efforts to assist the Sudanese people in the implementation of the Comprehensive Peace Agreement.

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